

Allen Park Belleville Brownstown Twp. Dearborn Heights Ecorse Lincoln Park	<b>Downriver Utility Wastewater Authority</b>	River Rouge Riverview Romulus Southgate Taylor Van Buren Twp. Wyandotte
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797 Central Avenue  
Wyandotte, Michigan 48192  
734-285-5500  
Industrial Pretreatment Program  
Class D Wastewater Discharge Permit

Permit No.: D-11326  
Expiration Date: 07/17/2024  
Effective Date: 07/18/2019

In accordance with the provisions of Article V, Section 4.02 of the Downriver Utility Wastewater Authority Sewer Use Ordinance (DUWA SUO) and pursuant to the requirements of the Industrial Pretreatment Program (IPP) as specified in 40 Code of Federal Regulations (CFR) 403.8 (f),

Remediation Site		Mailing Address	
Arkema Inc. – East Plant		RETIA USA LLC/Legacy Site Services (Agent for Arkema Inc.)	
Discharge to the City of Wyandotte		665 Stockton Drive, Suite 110	
Wye Street Sewer		Exton, PA 19341	
Contact Person(s):	Phone No.	Fax No.	
Michael Pinto, Authorized Representative	484-875-3465	610-363-1498	

is hereby authorized to discharge wastewater from the above identified facility and through the outfalls identified herein into the sanitary sewer system tributary to the DUWA Downriver Sewage Disposal Systems (DSPS) in accordance with the conditions set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with any or all applicable pretreatment regulations, standards, or requirements under local, state, and federal laws, including any such regulations, standards, requirements, or laws that may become effective during the term of this permit.

Non-compliance with any term or condition of this permit shall constitute a violation of the DUWA SUO. If the permittee wishes to continue to discharge after the expiration date of this permit; permittee shall apply for permit re-issuance minimum of (90) days prior to the expiration of their existing permit, in accordance with Article IV, Section 4.03 of the DUWA SUO.

Authorization of Permit: Downriver Utility Wastewater Authority

Signature of Official: K. Joychan  
Kurian Joychan

Title: Industrial Pretreatment Program Manager

Date: 4/03/2019

## Part I

## A. Discharge Limitations

## 1. Authorized Limitations

The permittee is authorized to discharge pretreated groundwaters from two (2) extraction wells in the former Halowax area.

- |                        |  |
|------------------------|--|
| 2. Sample Point<br>001 | Description<br>Discharge line sample port from carbon bed pretreatment unit, see Attachment C. |
|------------------------|--|

## 3. Summary Table

## a. Local Limitations per DUWA SUO:

The pollutants listed under "local limitations per DUWA SUO" are reasonably expected to be present in the facility discharge at levels of concern. Therefore, the User is required to implement a self-monitoring program, as described in the summary table, to ensure compliance.

Discharge Limitations		Self-Monitoring Requirements		
Effluent Characteristic	Average Daily Concentration mg/l	Measurement Frequency	Sample Type	Sampling Point
VOC EPA Method 624	monitor	quarterly	grab	001
Chloroform	0.25	quarterly	grab	001
1,2-dichloropropane	0.25	quarterly	grab	001
Methylene chloride	1.00	quarterly	grab	001
Tetrachloroethylene	0.25	quarterly	grab	001
SVOC EPA Method 625	monitor	quarterly	grab	001

Self-monitoring violations notification: The permittee shall notify DUWA - IPP by telephone at 734-285-5500, or by Fax, 734-285-5248, within 24 hours of becoming aware of a violation of this permit.

All regulations regarding wastewater discharges to the DUWA Sewerage System, set forth in Article IV and Appendix A, of the DUWA SUO, shall be conditions of this permit.

User shall be in compliance with parameter limitations set forth in Attachment A of this permit. Where a User is subject to regulation under categorical pretreatment standards, the most stringent limit shall apply.

	Daily Min	Daily Max	Measurement Frequency	Sample Type	Sampling Point
pH (s.u.)	5.0	11.5	quarterly	grab	001

#### 4. Special Conditions

Permittee shall self-monitor for “breakthrough” of GAC column. Change carbon, when necessary to ensure compliance with effluent limits.

#### B. Self-Monitoring Conditions and Regulations

##### 1. Definitions

- a. Maximum Monthly Average Limit - The maximum allowable value for the arithmetic average of all samples collected during one calendar month.
- b. Daily Maximum Limit - The maximum allowable discharge of a pollutant during a calendar day. Where daily maximum limitations are expressed in mass units, the daily discharge is the total mass discharged during the course of a day. Where daily maximum limitations are expressed in units of concentration, the limitation is the arithmetic average value of all samples collected during that day.
- c. Average Daily Concentration Limit - The highest allowable value expressed in concentration units. The limit is the arithmetic average of all samples collected during that day. It applies to all parameters with the exception of pH.
- d. Daily Minimum Limit - The minimum allowable concentration of a pollutant, allowed to be discharged in a calendar day. This term usually applies to pH, where it is the lowest pH measurement determined from the analysis of a number of grab samples collected, independent of the industrial flow rate and the duration of the sampling event, in a calendar day.

## **2. Analytical Procedures**

Analytical procedures for all analyses of pollutants to determine compliance shall be in accordance with 40 CFR Part 136, "Guidelines Establishing Test Procedures for the Analysis of Pollutants under the Clean Water Act" and amendments, or any other test procedures approved by EPA.

### **a. Representative Sampling**

The samples and measurements that are taken as a result of requirements in this permit, must be representative of the effluent being discharged during a typical work day.

### **b. Sample Type**

Grab - an individual sample collected over a period of time not to exceed 15 minutes, which reasonably reflects the characteristics of the wastestream at the time of sampling.

Composite - a sample comprised of individual grab samples collected at regular intervals, on a time proportional basis, over a specified period which provides a representative sample of the average stream during the sampling period. For categorical process samples, a composite is required to be a minimum of four (4) samples per 24 hours as specified in 403.12 (b)(5).

### **c. Sampling Point**

Compliance sampling shall be performed at the sampling location identified in Part I A.2., and Attachment C. Sample locations are not to be changed without prior written approval from the DUWA - IPP Section.

### **d. Sampling Frequency**

The effluent must be monitored and sampled at the frequency indicated in the summary table above. This applies for all the parameters shown in the table.

### **e. Greater Sampling Frequency**

If the permittee samples and monitors any pollutant using EPA approved procedures, at the sampling point(s) described in this permit, more frequently than required, then the results of this sampling and monitoring must be included in the PCR. Permittee must calculate and report average values in the report, taking the additional sampling and monitoring into account.

f. Non-Compliance Additional Sampling

If a permittee is in non-compliance and subject to enforcement actions, additional self-monitoring may be required. The additional self-monitoring may be required until such time as the permittee can demonstrate compliance.

3. Charges and Fees

1. Surcharge

Carbonaceous Biochemical oxygen demand, 5-day (CBOD5), Total suspended solids (TSS), and total phosphorus (P) are surchargeable parameters. If the discharge contains concentrations of these compatible pollutants in excess of the allowable concentrations (BOD = 275, TSS = 350 and P = 12, all in mg/l) the permittee must pay a surcharge on the excess amount. The permittee may elect to do monthly self-monitoring of these parameters and have the results included in the determination of the surcharge and must then comply with the surcharge policy of DUWA.

2. Industrial Surveillance Fee

The permittee shall pay, directly to DUWA, an Annual Industrial Surveillance Fee calculated pursuant to formula listed in Attachment B, and billed by DUWA on a quarterly basis.

D. Reporting

1. Periodic Compliance Reports (PCR)

The permittee shall summarize report and submit their self-monitoring results on quarterly basis. The PCRs shall be received by the 15th day of the month following the end of the period. The PCRs must include wastewater flow rate data for each quarterly period.

2. Signatory Requirements for Reports

The PCR shall include the certification statement pursuant to Article V, Section 5.04 of the DUWA SUO and shall be signed by an authorized representative of the industrial user per Article I, Section 1, Definition 5, of the DUWA SUO.

### 3. Slug / Spill Control Plan

Industrial Users shall provide protection from accidental discharges of substances which may cause interference at the DUWA Wastewater Treatment Facility pursuant to Article IV, Section 2.04 of the DUWA SUO.

The plan shall be implemented by the user to address notification, slug or spill prevention, containment, spill cleanup and employee training and submit it to the IPP Section for approval prior to construction. Approval of such plans shall not relieve the industrial user from complying with laws and regulations governing handling of hazardous substances. Any required facilities shall be provided and maintained at the user's expense. Significant Industrial Users are required to notify DUWA - IPP immediately of any changes at its facility affecting the potential for a slug discharge.

### 4. Volume Reporting

Permittee shall report the volume discharged, for billing purposes, on a monthly basis to DUWA – IPP representative, on a quarterly basis to DUWA - IPP Section.

### E. Enforcement Orders

This permit contains specific discharge limitations, effective dates, self-monitoring, reporting and terms and conditions for your facility.

Please note that any and all penalties, compliance schedules, compliance agreements, and / or Administrative Orders previously issued or agreed to as a result of violations by the permittee, prior to the issuance of this permit, remain in full force and effect.

## Part II

### A. General Terms and Conditions

#### 1. Right of Entry

The permittee shall allow DUWA representative, upon the presentation of credentials, access at all reasonable times to all parts of the premises for the purposes of inspection, observation, sampling, examining records, copying records, conducting an investigation, or the performance of any of their duties related to the administration of this permit and/or the DUWA's Industrial Pretreatment Program (IPP). Denial of entry shall constitute a violation of the ordinance and subject the user to enforcement action.

#### 2. Retention of Records

a. The permittee shall keep records and make available upon request of DUWA, State of Michigan, or EPA for at least three (3) years, of the following:

i. All monitoring information - includes all calibration and maintenance records.

ii. All correspondence related to monitoring, sampling and analyses related to its discharge including documentation associated with Best Management Practices, if applicable

iii. Copies of all reports required by this permit.

iv. Records of all data used to complete the Industrial-Commercial Waste Questionnaire, which serves as the application for this permit.

All records that apply to matters that are the subject of special orders or any other enforcement or litigation activities brought about by DUWA shall be kept and preserved by the permittee until all enforcement activities have concluded. Also, until all periods of limitation regarding appeals have expired.

#### 3. Fines and Penalties for Violations of Permit Conditions

##### a. Municipal Civil Infractions

DUWA adopted a Municipal Civil Infractions Ordinance to designate certain violations of the SUO as municipal civil infractions rather than criminal misdemeanors. The sanction for a violation shall be civil fine in the amount provided by schedule of civil fines contained in Article IV, Section 6.11.

b. Criminal Penalties

Any person who is convicted of a violation of state law or SUO, as per Article IV, Section 6.12 shall be guilty of a misdemeanor and punishable by a fine of \$500 per violation per day or imprisonment for up to 90 days, or both, in the discretion of the court.

If a violation is committed by a person who acts or fails to act on behalf of a corporation or partnership, that person shall be held personally liable for fine or imprisonment, or both.

4. Fee and Charges

The permittee shall pay fees and surcharges including late fees and interest, directly to DUWA for at least the following:

- a. Annual Industrial Surveillance fees.
- b. Surcharges for compatible pollutants discharged in excessive concentrations as detailed in Article IV, Section 3.04.
- c. To recover actual additional costs it may incur in connection with inspecting and enforcement, implementation of the IPP, sampling, testing, handling and treating the wastes not covered by existing wastewater charges in addition to the annual industrial surveillance fee referred to above.
- d. Cost of handling and treating wastewater into the sewer not otherwise provided.

The above charges and fees are separate from any sewage or excess sewage fees collected pursuant to Michigan Public Act 185 of 1957.

5. Additional Sewer Information

The permittee shall agree to furnish DUWA, upon request, any additional information relating to the installation or use of the sewer.

6. Pretreatment Facilities

- a. Operation: The permittee shall provide, operate and maintain any industrial wastewater pretreatment facilities, as may be required by this permit, in an efficient manner at all times, and at permittee expense.



- b. Detailed plans and operating procedures for new pretreatment facilities must be submitted for review and approval, prior to construction. Submit plans to DUWA – IPP section, at the address on the cover sheet of this permit.
- c. Any subsequent changes in pretreatment facilities or operating procedures must be reported to DUWA for review and approval, prior to initiation of the changes.

#### 7. Slug / Spill Control Plan

Industrial Users shall provide protection from accidental discharges of substances which may cause interference at the DUWA Wastewater Treatment Plant pursuant to Article IV, Section 2.04 of the DUWA SUO. Where necessary, spill prevention or slug control plans shall be developed by the user to address notification, slug or spill prevention, containment, spill cleanup and employee training and submit it to the IPP Section for approval prior to construction. Approval of such plans shall not relieve the industrial user from complying with laws and regulations governing handling of hazardous substances. Any required facilities shall be provided and maintained at the user's expense.

#### B. Notification Requirements

Emergency notification telephone numbers:

Office	Phone	Fax
IPP Section (M - F, 7 am - 3:30 pm)	734-285-5225	
DSDS (M - F, 7 am - 3:30 pm)	734-285-5500	734-285-5248
DSDS Shift Supervisor (24/7)	313-213-5107	
24-Hour Hot Line (24/7)	1-888-223-2363	

#### 1. Self-Monitoring Violations

If the results of the permittee's self-monitoring indicates that a violation of this permit has occurred, the permittee must, in accordance with 40 CFR 403.12(g)(2)

- a. Inform the DUWA by telephone, fax, or e-mail within 24 hours, of becoming aware of the violation, and
- b. Repeat the sampling and pollutant analysis and submit, in writing, to DUWA - IPP Section the results of this second analysis within thirty (30) days of the first violation, except if:

- i. The DUWA representative performs sampling at facility at least once per month.
- ii. The DUWA representative performs sampling between the time the permittee performs initial sampling and the time when permittee receives results of this sampling.

## 2. By-Pass Notification

By-pass of pretreatment facilities necessary to maintain compliance with all the requirements of this permit is prohibited, unless:

- a. By-pass was unavoidable to prevent loss of life, personal injury, or severe property damage.
- b. There were no feasible alternatives to the by-pass.
- c. The permittee submitted notices as required per Article IV, Section 2.05.6(b) of the SUO.
- d. The DUWA representative may approve an anticipated by-pass, after considering its adverse effects, if the DUWA representative determines that it will meet the three (3) conditions listed in Article IV, Section 2.05.6(c)(1) of the SUO.

## 3. Slug / Spill Notification

The permittee shall within one hour, of becoming aware, report any spill or slug that, may cause increased pollution of normal industrial and/or sanitary waste-water. Call DUWA representative at 734-285-5500 and report the: 1) location of discharge, 2) date and time of discharge spill or slug, 3) type of waste, 4) concentration and volume of the spill or slug, and 5) describe the corrective actions taken to prevent future spill or slug discharges.

If a major spill occurs that may impact storm sewers or open waterways, call the Michigan Department of Environmental Quality (MDEQ), at 1-800-292-4706 and report the spill.

Written notification is required to the DUWA representative within five (5) days pursuant to Article IV, Section 2.05.2.(b).

A slug is defined as any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any way violate the DUWA's ordinances, local limits or permit conditions.

#### 4. Upset Non-Compliance

- a. The permittee shall notify the DUWA representative by phone, within 24 hours of first becoming aware, that a process upset has occurred, which places that discharger in non-compliance with the DUWA SUO or with a condition of its Class D Wastewater Discharge Permit. "Upset" is defined as an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit discharge limitations because of factors beyond the reasonable control of the Industrial User. The permittee shall submit to the DUWA representative a written notification within five days, which specifies the following:
  - i. A description of the Upset to sanitary sewer, its cause, and impact relative to compliance status.
  - ii. The duration of non-compliance, including exact dates and times or, if not corrected, the anticipated time necessary to come back into compliance.
  - iii. Steps being taken and/or planned to reduce, eliminate and prevent recurrence of that type of Upset, or other conditions of non-compliance.
- b. An Upset shall constitute an affirmative defense to an action brought for non-compliance with Categorical Pretreatment Standards, if the requirements of the Michigan Administrative Code R 323.2303(3) are met.
- c. In any enforcement proceedings the permittee seeking to establish the occurrence of an Upset shall have the burden of proof.
- g. The permittee shall control production or all discharges to the extent necessary to maintain compliance with Categorical Pretreatment Standards and/or Local Limits upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

#### 5. Notification of Changed Discharge

Permittee shall promptly notify the DUWA representative in advance of any substantial change in the volume or character of pollutants in its discharge including all of the following, if applicable:

- a. Groundwater that are purged for remedial action programs.

- b. Groundwater containing pollutants that infiltrate into the sewers.
- c. The listed or characteristic hazardous wastes for which the User has submitted initial notification pursuant to Article IV, of the SUO.

### C. Permit Items

#### 1. Permit Re-issuance

##### a. Re-application

The permittee must submit an application for permit re-issuance, in the form of a completed, updated, Industrial-Commercial Waste Questionnaire, to the DUWA representative no later than 90 days prior to the expiration date of the permit.

##### b. Re-issuance

Upon timely application for re-issuance of a permit in accordance with paragraph (a), the expired permit shall be automatically extended until a final decision regarding the application is made by the DUWA representative.

#### 2. Permit Modification

The DUWA representative may modify a Wastewater Discharge Permit in order to:

- a. Require compliance with national Categorical Pretreatment Standards.
- b. Assure compliance with the publicly-owned treatment works (POTW) NPDES Permit.
- c. Incorporate new conditions or parameters of concern due to substantial change in the User's operations or new information concerning existing conditions.
- d. Incorporate changes in federal or state laws or changes in the DUWA's approved IPP.
- e. Change or terminate special conditions of the permit including but not limited to monitoring frequency or parameters to be monitored.
- f. Correct any omissions or typographical errors.
- g. Reflect changes in the monitoring location.
- h. To address a User's noncompliance with portions of an existing permit.

- i. For any other reason, if DUWA representative reasonably believes the modification is necessary to ensure either that the POTW complies with its NPDES permit or that the POTW does not negatively affect the receiving water quality standards, the national air quality standards or any other applicable permit, order, statute, regulation, or limitation.

The permittee shall be given written notice of any proposed changes in its permit, at least 30 days prior to the effective date of such change, unless a shorter time is necessary to protect the treatment plant, protect human health or the environment.

### 3. Permit Transfer

Wastewater Discharge Permits are issued to a specific user for a specific operation and shall not be assigned or transferred to another discharger or to another location without 30 days prior notice to the DUWA representative of the change and the written approval of the DUWA representative.

### 4. Permit Revocation

The DUWA representative may, with written notice revoke the discharge permit for the following reasons:

- i. Violation of the terms and conditions of the permit, local ordinances, state and federal laws, statutes, and regulations.
- ii. Failure to factually report the wastewater constituents and characteristics of the discharge.
- iii. Failure to report significant changes in wastewater constituents and characteristics.
- iv. Refusal of reasonable access to the permittee premises by DUWA representative for the purpose(s) of inspection or monitoring.
- v. Failure to pay fines, penalties or costs incurred by DUWA, pursuant to Article IV Section 6.

Non-compliant Industrial Users shall be notified of the proposed termination of their Wastewater Discharge Permit and be given an opportunity to show cause under Section 6.04.1 of this ordinance why the proposed action should not be taken.

## 5. Emergency Suspension of Service and Discharge Permits

- a. The DUWA representative may, for good cause, suspend the wastewater treatment service and the Wastewater Discharge Permit of a discharger if the DUWA representative find that an actual or threatened discharge presents or may present an imminent or substantial danger to the health or welfare of persons, substantial danger to the environment, or an interference or pass through.
- b. A discharger who is notified of the suspension of wastewater treatment service and/or the Discharger's Wastewater Discharge Permit, shall within a reasonable period of time, as determined by the DUWA representative, cease all discharges.
- c. If a discharger fails to comply voluntarily with the suspension order within the specified time, the DUWA representative shall take such steps as deemed necessary, including severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving waters, or endangerment to any individuals.
- d. The DUWA representative shall allow the User to recommence its discharge when the user has demonstrated to the DUWA's satisfaction that the endangerment has passed, unless termination proceedings are initiated against the user.
- e. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a full report to the DUWA representative within five days of the incident. This report shall be a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence. The information in this report shall be considered during any related action by the DUWA representative.
- f. Local communities whose wastewater is transported or treated by the facilities of the DUWA may join with the DUWA in enforcement action and take such other action to effectuate the ordinance.
- g. Failure of the contracting community to join in the enforcement action shall not limit the DUWA's representative to enforce this ordinance and the provisions of this section as to any discharger.

Allen Park Belleville Brownstown Twp. Dearborn Heights Ecorse Lincoln Park	<h2 style="text-align: center;">Downriver Utility Wastewater Authority</h2>	River Rouge Riverview Romulus Southgate Taylor Van Buren Twp. Wyandotte
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### Industrial Pretreatment Program Periodic Compliance Report

Facility: Arkema Inc. GW Remediation (formerly East Plant)  
17168 W. Jefferson, Wyandotte, 48192

Sampling Point: 001

Reporting Period: Quarter:    1    2    3    4 (circle one)    Year \_\_\_\_\_

#### I. Summary of Self-Monitoring Data:

Parameter	Sample Type G / C	Limit mg/l Daily	Monitor Freq	Report Freq	Sample Dates			
pH	G	5.0-11.5	Q	Q				
VOC EPA 624 including								
1,2-dichloropropane	G	.25	Q	Q				
Chloroform	G	.25	Q	Q				
Methylene Chloride	G	.25	Q	Q				
Tetrachlorethylene	G	.25	Q	Q				
SVOC EPA 625	G	Monitor only	Q	Q				

D Daily    M Monthly    Q Quarterly    S Semiannually    SP Surcharge parameter  
 G Grab    C Composite    SU Standard unit    ND Non-detect

#### II. Flow Data

	Avg GPD	Max GPD	Total discharge for report period	Method of measurement (M) measured (E) estimated (B) batch
Process				
Cooling				
Sanitary				
Other				
		<b>Total</b>		

Permit Expires:

Permit No. D-  
**Periodic Compliance Report**

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Sampling Point

**III. Additional Requirements**

1. Attach copies of the individual report for review.
2. If any pollutant was monitored more frequently than required using procedures prescribed in 40 CFR Part 136, include results in Section I.
3. Does sampling detect any violations of permit limitations? Yes ☐ No ☐  
Parameter: \_\_\_\_\_ Sample Date: \_\_\_\_\_
4. If answer to question #3 is "yes," was notification provided to DUWA – IPP Section, within 24 hours of becoming aware of this violation? Yes ☐ No ☐
5. Re-sampling: (answer only if question #3 was "yes").
  - a. Re-sampling performed and results submitted to DUWA within 30 days of becoming aware of the violation(s). Yes ☐ No ☐
  - b. Re-sampling not required due to:
    - i. ☐ DUWA samples monthly
    - ii. ☐ DUWA sampled between initial sampling and time of becoming aware of the violation(s).

**IV. Nature of Pollutants**

1. Has raw material – type and / or source of supply – changed during the reporting period? Yes ☐ No ☐
2. If answer is "yes" identify all new pollutants.

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



Permit Expires:

Permit No. D-

**V. Certification Statement:**

I certify, under a penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person(s) who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
**Signature of Authorized Representative**

\_\_\_\_\_  
*please print or type name under signature*

Title \_\_\_\_\_

Date \_\_\_\_\_

Please return this page with original signature by U.S. mail